



North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue, Governor  
Dee Freeman, Secretary

**Division of Waste Management  
Underground Storage Tank Section**

Dexter R. Matthews, Director

February 26, 2009

Mr. Brent Puzak  
Director Gasoline Environmental  
The Pantry, Incorporated  
Post Office Box 1410  
Sanford, North Carolina 27330

Re: Notice of Regulatory Requirements  
NCGS 143B-279.9 and 143B-279.11  
Notice of Residual Petroleum

**The Pantry #832**  
501 South Memorial Drive, Greenville  
Pitt County  
Incident Number: **31953**  
Risk Classification: Low  
Ranking: L75R

Dear Mr. Puzak:

North Carolina General Statutes (NCGS) 143B279.9 and 143B-279.11 require a Notice of Residual Petroleum (Notice) to be filed with the Register of Deeds in Pitt County, where the release is located, when a release from an underground storage tank has not been remediated to below "unrestricted use standards." The Notice is required either prior to conveyance of a contaminated property or prior to receiving a Notice of No Further Action. "Unrestricted use standards" for groundwater are the groundwater quality standards and interim standards contained in Title 15A NCAC 2L .0202, and "unrestricted use standards" for soil are the residential maximum soil contaminant concentrations (MSCCs) established in Title 15A NCAC 2L .0411. **This site exceeds "unrestricted use standards" for groundwater only.**

The Notice must be prepared in accordance with the attached instructions and format. It must contain a legal description of the property containing the source of contamination and legal descriptions of any other properties which you own (or control) which are contaminated by the release. The Notice must also include appropriate land use restrictions for these properties. In addition, the Notice must identify all other properties (adjacent, adjoining, down gradient, etc.) on which contamination is known to exist at the time the Notice is prepared.

The Notice must be sent to this regional office of the UST Section within 30 days of the date of this letter for approval and notarization. The approved and notarized Notice must then be filed by you with the Register of Deeds, and a certified copy of the filed Notice must be submitted to this office within 30 days of its return to you.

Effective October 1, 2004, the Department requires that all work following the submittal of the Limited Site Assessment Report (Title 15A NCAC 2L .0405) be preapproved if State Trust Fund reimbursement is anticipated. To comply with this requirement, a completed Preapproval/Claim Authorization Form, encompassing the required remedial activities, must be received in this office within 14 days of the date of this letter. Upon completion of the preapproved activities, you should submit your claim promptly. Reimbursement funds are budgeted based on completed preapprovals, but lengthy delays in reimbursement can occur if claims are not submitted immediately following work completion.

Failure to comply with this letter is a violation of North Carolina law and may result in the assessment of civil penalties and/or the use of other enforcement mechanisms available to the state. If you have any questions regarding this letter, please contact Betty Sandow at the address or telephone number listed below.

Sincerely,



Scott Bullock, L.G.  
Regional Supervisor  
Washington Regional Office

Attachment: Instructions for Preparing Notice of Residual Petroleum

cc: M. D. Shaw & Associates, P.C., 8501 Foxtail Lane, Huntersville, NC 27078  
Pitt County Health Department  
Liza Kirby, P.E., Public Works Dept., Engineering Div., 1500 Beatty St. Greenville, NC 27858  
✓WaRO

UST Regional Offices

Washington (WAS) – 943 Washington Square Mall, Washington, NC 27889 (252) 946-6481